IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No. 135 of 1999

For Approval and Signature:

HONOURABLE MR.JUSTICE J.R.VORA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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STATE OF GUJARAT
Versus
JASWANTBHAI DHANJIBHAI PARMAR

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Appearance :
MS MITA PANCHAL APP for Applicant
MR TS NANAVATI for Respondent

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CORAM : HONOURABLE MR.JUSTICE J.R.VORA

Date : 08/08/2006

ORAL JUDGMENT

1. Heard learned APP Ms.Mita Panchal for the applicant – State and learned advocate Mr.Rajesh Budhani for learned advocate Mr.T.S.Nanavati for the respondent.

2. This Criminal Revision Application came to be preferred by the State of Gujarat against the order passed by Special Judge and Additional Sessions Judge, Bharuch on 22.01.1999 in Special Corruption Case No.5/1994 below application Ex.63 whereby learned Special Judge was pleased to discharge present respondent – accused from the offences punishable under Sections 7, 13(1)(d) to r/d. Section 13(2) of the Prevention of Corruption Act, 1988 on account of invalid sanction to prosecute. While discharging the present respondent – accused, learned Special Judge also directed that after obtaining valid sanction, the present respondent could be charge-sheeted for the same offences.

3. Learned counsels for the parties, now, submit that in this view of the matter, after

obtaining sanction, a fresh charge-sheet is now submitted in the Court of learned Special Judge at Bharuch. A xerox copy of the charge-sheet as well as of sanction which is dated 30.08.1999 has been placed on record.

4. In this view of the matter, this Criminal Revision Application has, now, become infructuous, as fresh charge-sheet is submitted against the present respondent. The Criminal Revision Application stands, therefore, disposed of, accordingly. Rule is discharged. Direct service is permitted.

[J. R. VORA,J.]

(vijay)